

**CHAPTER 24  
BUILDING CODE**

- 24.01 PERMIT REQUIRED.** A permit shall be required for any new construction in the Village of Carlock. It shall be unlawful to engage in any new construction in the Village of Carlock without first having secured a permit therefor. For purposes of this Chapter, the term “new construction” shall mean the erection of any new structure on any lot or property within the Village of Carlock or the construction of an addition to any existing structure within the Village of Carlock. For purposes of this Chapter, “an addition” means construction which increases the perimeter or footprint of any building or structure within the Village of Carlock. No permit shall be required for any interior remodeling or alteration which is not an addition. (Ordinance 2004-02, 2016-01, 2018-03)
- 24.02 APPLICATION.** Applications for such permits shall be made to the Building Inspector and shall be accompanied by plans and specifications in duplicate showing the work to be done. All changes will need to apply to the current building codes enforced at the time of the permit. Such plans shall be verified by the signature either of the owner of the premises or by the architect or contractor in charge of operations. (Ordinance 2012-04)
- 24.03 APPROVAL OF PLANS.** Such applications with plans shall be referred to the Building Committee of the Village Board who shall examine the same to determine whether the proposed alteration will comply with the ordinance provisions relating thereto. Upon approval, one set of plans shall be returned by the Building Inspector. No permit shall be issued except after approval of the plans and the payment of the fee provided herein.
- 24.04 PERMIT FEES.** The permit fee for any new construction within the Village shall be calculated based upon the amount of square feet of said new construction. The fee for a new construction permit shall be fifty-four cents (54¢) per square foot of finished residential homes, apartments, or business, eighteen cents (18¢) per square foot of garage, business storage area, or other accessory structure, and fourteen cents (14¢) per square foot of unfinished basements. Finished basements shall be calculated at a rate of fifty-four cents (54¢) per square foot. Each application for a building permit for a new construction shall state the square feet of said home, apartment, or business, or of the addition thereto. The cost for a building permit for a new construction shall rise at the rate of two cents (2¢) every odd year, which increases begin January 1, 2017. (Ordinance 2004-02, 2006-04 and 2008-04, 2016-01)
- 24.05 VARIATIONS.** It shall be unlawful to vary from the approved plans and specifications deposited with, and approved by the Building Committee unless amended plans and specifications showing such proposed alteration or variation are first filed with the Building Committee and approved by it; if such variation involves an increase in the total cost of the work, a statement to that effect shall be made and the necessary additional fee shall be made.
- 24.06 BOND FOR CONTRACTOR’S EXCAVATIONS.** It shall be unlawful to commence work on any excavation, or on any construction work in the village involving driving or hauling machinery, trucks or equipment over any parkway or sidewalk area or involving excavating or leveling of any parkway or sidewalk area, unless the person, firm, or corporation doing such work shall first have filed with the village for any damage done to any village property, including any curb, pavement, cable, pipe, shut off box or other equipment, in the course of such work.

Where the work contemplated includes the making of any excavation for any structure or foundation, the bond shall also be conditioned that the building or structure contemplated shall be completed within one year from the date of commencement of work or the excavation refilled and the surface restored to its original condition.

Such bond shall be in the principal amount of five thousand dollars payable to the village in the event of any breach of the condition of such bond.

**24.07 ISSUANCE OF BUILDING PERMITS; INSPECTIONS:** Building permits shall be issued by the Chair of the Building and Zoning Committee of the Corporate Authorities of the Village of Carlock. In the absence of a duly appointed chair of the Building and Zoning Committee, building permits shall be issued by the Village President of the Village of Carlock. As a condition of the award of any building permit under this Code, authority is granted to the Village of Carlock and its officers and agents to make or cause to be made any entry into any building or premises where the work of altering, repairing or construction of any building or structure is occurring, for the purposes of inspecting such construction for conformity with the provisions of this Code. The Chair of the Building and Zoning Committee of the Corporate Authorities of the Village of Carlock shall have the power, with the advice of the Building Inspector, to order all work stopped on constructions, alteration or repair of buildings in the Village when such work is being done in violation of any provision of any ordinance relating thereto, or in violation of the zoning ordinance. Such a stop work order shall be personally served upon the individual or entity issued the building permit. Work shall not be resumed after the issuance of such an order unless and until the stop work order is lifted, in writing, by the Chair of the Building and Zoning Committee. Any decision of the Chair of the Building and Zoning Committee pertaining to the issuance or continuance of a stop work order shall be subject to appeal the Corporate Authorities of the Village of Carlock, who shall provide notice and an opportunity to be heard to the appellant. The Corporate Authorities of the Village of Carlock shall have the opportunity to overturn any decision of the Chair of the Building and Zoning Committee pertaining to the issuance or continuance of a stop work order on such an appeal. (Ordinance 2015-07)

**24.08 BUILDING PERMIT TIME LIMIT.** No building permit shall be valid for a period of more than one year from the date of issuance.

**24.09 FIRE LIMITS. Boundaries.** The fire limits of the village shall include all the incorporated village.

**24.10 CONSTRUCTION WITHIN FIRE LIMITS.**

- (a) Exterior Coverings. It shall be unlawful to construct or erect any building or structure or portion thereof or addition thereto, in the fire limits unless the exterior walls and roof of such building or structure are covered or constructed of nonflammable material; provided, this shall not operate to prohibit the construction of temporary one-story buildings for the use of builders during construction of the fire-proof structure, wooden fences not over eight feet high; piazzas or balconies not exceeding ten feet in width or extending more than three feet above the second story floor beams; bay windows when covered with incombustible materials; or during construction for workmen engaged thereon, small outhouses not exceeding one hundred and fifty feet in area nor eight feet in height.
- (b) Repairs. It shall be unlawful to repair any existing frame building within the fire limits after the same shall be damaged by any cause to fifty percent of its value, unless such building is made to conform to the provisions of the foregoing section.

**24.11 DANGEROUS BUILDINGS.**

- (a) Definitions. The term "dangerous buildings" as used in this chapter means (a) any building, shed, fence, or other man-made structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease, or injury to the health of the occupants of it or neighboring structures; (b) any building, shed, fence, or other man-made structure which because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard; (c) any building, shed, fence, or other man-made structure which by reason of faulty construction or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure; (d) any building, shed, fence, or other man-made structure, which because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

- (b) Nuisance. Any dangerous building in the village is hereby declared to be a nuisance.
- (c) Prohibition. It shall be unlawful to maintain or permit the existence of any dangerous building in the village; and it shall be unlawful for the owner, occupant or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.
- (d) Abatement. Whenever the Building Inspector, the Fire Marshall, or the health Officer shall be of the opinion that any building or structure in the village is a dangerous building, he shall file a written statement to this effect with the Village Clerk. The Clerk shall thereupon cause written notice to be served upon the owner thereof and upon the occupant thereof, if any, by registered mail or by personal service. Such notices shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once. Such notice may be in the following terms:

To \_\_\_\_\_ (owner-occupant of premises) of the premises known and described as \_\_\_\_\_.

You are hereby notified that (described building) on the premises above mentioned has been condemned as a nuisance and a dangerous building after inspection by \_\_\_\_\_.

The causes for this decision are (here insert the facts as to the dangerous condition).

You must remedy this condition or demolish the building immediately, or the village will proceed to do so.

If the person receiving the notice has not complied therewith or taken an appeal from the determination of the officer or employee finding that a dangerous building exists, within ten days from the time when this notice was served upon such person by personal service or registered mail, the Building Inspector, may upon orders of the Board of Trustees, proceed to remedy the condition or demolish the dangerous building.

- (e) Vermin, Fire, Nuisance. Any building or residence which has remained vacant, unoccupied and unused for over 24 months, and which is not brought into conformance with the Building Code within 6 months of demand by the village authorities shall be a dangerous building.

**24.12 BUILDING CODE ADOPTED.** The rules and regulations contained in the International Building Code 2015 edition as published by the International Code Council, Inc., excluding all provisions therein pertaining to fire suppression, hereinafter referred to as the International Building Code, are hereby adopted by reference and made a part of this Chapter as the rules and regulations governing the construction of buildings and other structures in the Village of Carlock and it shall be unlawful for any person to construct or alter, or cause to be constructed or altered, any building or structure in the Village in violation of or without complying with those rules and regulations. (Ordinance 2007-10, Ordinance 2015-06)

**24.13 INTERPRETATION OF CODE.** Wherever in the rules and regulations contained in the International Building Code 2006 edition, it is provided that anything must be done to the approval of or subject to the direction of the enforcing officers, this shall be construed to give such officers only the power to determine whether the rules and regulations established by ordinance have been complied with and shall not be construed as giving such officers discretionary powers. (Ordinance 2007-10)

#### **24.14 BUILDING OPERATIONS.**

- (a) Use of Streets. The use of streets for the storage of materials in the process of construction or alteration of a building or structure may be granted where the same will not unduly interfere with traffic and will not reduce the useable width of the roadway to less than eighteen feet, no portion of the street other than that directly abutting on the premises on which work is being done shall be used excepting with the consent of the owner or occupant of the premises abutting on such portion. Any person seeking to make such use of the street shall file an application for a permit therefore with the Clerk, together with a bond with sureties to be approved by the Clerk to indemnify the village for any loss or damage which may be incurred by such occupation.
- (b) Night Operations. No construction or altering operations shall be carried on in the night time if the same are accompanied by loud noises.
- (c) Sidewalks. No sidewalk shall be obstructed in the course of building construction or alteration without a special permit from the Clerk; and whenever removal of a sidewalk is required in such work, a special permit from the Clerk shall be obtained.
- (d) Safeguards. It shall be the duty of the person or corporation doing any construction, altering or wrecking work in the village to do the same with proper care for the safety of persons and property. Warnings, barricades and lights shall be maintained whenever necessary for the protection of pedestrians or traffic; and temporary roofs over sidewalks shall be constructed whenever there is danger from falling articles or materials, to pedestrians.

#### **24.15 BILLBOARDS.**

- (a) Definition. The term "billboard" is hereby defined to mean for the purpose of this section any signboard or similar structure, the sole or primary purpose of which is to be used for the display of advertisements or notices.
- (b) Permit Required. It shall be unlawful to construct a billboard within the village without having first secured a permit therefor from the Village Board provided that this section shall not be construed to require a permit for the construction of a billboard or signboard, other than a roof sign, the total display area of which does not exceed fifteen square feet; and provided that no license issued hereunder shall be construed to authorize the construction of or maintenance of a billboard which extends over any public street, alley, or sidewalk or other public place. The fee for such permit to construct any such billboard shall be \$20.00. Such permit shall only be granted if the Village Board determines that the billboard shall not be a visual nuisance and will be erected in a safe and permanent manner.

**24.16 INTERNATIONAL PROPERTY MAINTENANCE CODE.** That a certain document, one (1) copy of which is on file in the office of the Village Clerk of the Village of Carlock, being marked and designated as "The International Property Code, 2006" published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance code of the Village of Carlock, in the State of Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this Ordinance. (Ordinance 2007-11)

**24.17 SUMP PUMP DISCHARGE.** It shall be unlawful for any person to discharge or allow to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, contaminated cooling water, sanitary sewage, industrial waste or any other water, fluid or liquid onto any portion of the right of way of the Village of Carlock's roads, streets and alleys including the drainage ditches adjacent thereto.  
In the event unlawful discharge is discovered within the Village, any officer of the Village is expressly empowered to confiscate and remove any property making such discharge, including

any hose, tubing, pumps or other similar items. Such removal shall be completed at the sole and exclusive expense of the property owner.

Both the property owner and the occupant shall be jointly and severally liable for any violation of this provision of the Village Code.

No discharge shall be directed so as to impact neighboring properties. Discharge shall be made not less than ten (10) feet from neighboring properties and not less than fifteen (15) feet from any sidewalk.

Any property owner who previously made any connection or installation in violation of this ordinance shall immediately remove such connection or correct such installation.

Any person, firm, corporation, association, agent or legal representative violating the provisions of this Section of the Village Code or failing to do any of the things this Section requires to be done shall be subject to the general penalty provision, Section 24.17, of this municipal Code. Each day in which such violation shall continue shall be deemed to be a separate violation. (Ord. 2012-01)

- 24.18 INSPECTION FEES.** In addition to the building permit fee required by Section 24.04 of this Code, an inspection fee shall be due to the Village of Carlock as a condition of the award of a building permit for the new construction of residential homes, apartments or businesses. The flat fee shall be in the amount of \$3,000.00, and shall represent payment in full to the Village of Carlock for up to eleven inspections. Any required inspection in excess of the eleventh inspection shall be paid by the permittee as a condition of the building permit. (Ordinance 2015-06)
- 24.20 PAVEMENT PERMIT.** No person shall construct, reconstruct or resurface (exclusive of sealcoating) any asphalt, concrete or similar pavement type surface on any lot within the Village of Carlock whether such pavement surface is intended as a driveway, a patio, a basketball court, or for any other purpose without having applied for and obtained a permit pursuant to Chapter 24 of the Village Code from the Village of Carlock. The fee for a pavement permit shall be twenty-five dollars (\$25.00). The application for a pavement permit shall be on a form supplied by the Village of Carlock. (Ordinance 2017-08)
- 24.21 FENCE PERMIT.** A fence may be installed up to but not beyond the property line, with the exception of a backyard that adjoins an alley, where a fence may not be built closer than 6' from the village right of way of the alley. In no instance may a fence be installed on the village right of way. A fence may be no higher than 4' in a front yard and no higher than 6' in a side or back yard. Fences installed on corner lots must abide by Ordinance 23.10B. Fences installed in back or side yards that adjoin a neighboring front yard may be no higher than 4'. Fences must be installed with the finished side out. All existing fences are grandfathered in but are subject to Code 23.20(e). A permit must be purchased per Code 24.21. The permit fee for a fence shall be \$25.00. (Ordinance 2017-08, 2018-01)
- 24.22 ROOF PERMIT.** No person shall re-roof, recover or replace an existing roof covering on any structure within the Village of Carlock without first having applied for and obtained a permit pursuant to Chapter 24 of the Village Code of the Village of Carlock. The fee for the permit shall be \$25.00. The application for a roof permit shall be a form supplied by the Village of Carlock. All work shall be performed in accordance with the requirements of any International Building Code then in force as adopted by the Village of Carlock. (Ordinance 2017-11)
- 24.99 PENALTY.** Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 1.06, of this Municipal Code. Each day a violation occurs shall constitute a separate offense.